

[CHAPTER 598]

AN ACT

December 19, 1941
[H. R. 6009]
[Public Law 359]

To provide pensions at wartime rates for officers and enlisted men of the Army, Navy, Marine Corps, and Coast Guard disabled in line of duty as a direct result of armed conflict, while engaged in extra hazardous service or while the United States is engaged in war, and for the dependents of those who die from such cause, and for other purposes.

Pensions.
38 U. S. C. § 724,
Vet. Reg. 1 (a).

Rates for certain
disabilities.

Dependents of
deceased veteran.

53 Stat. 1070.
Ante, p. 665.

38 U. S. C. § 724,
Vet. Reg. 1 (a).

Rules and regula-
tions.

Application of pro-
visions.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subparagraph (c), paragraph I, of part II, Veterans Regulation Numbered 1 (a), as amended, is hereby amended to read as follows:

"(c) Any veteran otherwise entitled to pension under the provisions of part II of this regulation or the general pension law shall be entitled to receive the rate of pension provided in part I of this regulation, if the disability resulted from an injury or disease received in line of duty (1) as a direct result of armed conflict, or (2) while engaged in extra hazardous service, including such service under conditions simulating war, or (3) while the United States is engaged in war.

"The dependents of any deceased veteran, whose death resulted from an injury or disease received in line of duty as described in this subparagraph, otherwise entitled to pension under the provisions of part II of this regulation or the general pension law, shall be entitled to pension at the rates provided for service-connected death compensation benefits for dependents of World War veterans by section 5 of Public Law Numbered 198, Seventy-sixth Congress, as amended (U. S. C., title 38, sec. 472b), or if barred by the insurance limitations thereof, the rates provided by paragraph IV of part I, Veterans Regulation Numbered 1 (a), as amended."

SEC. 2. The Administrator of Veterans' Affairs is hereby authorized to make rules and regulations, not inconsistent with the provisions of this Act, which are necessary to carry out its purposes.

SEC. 3. The provisions of this Act shall also apply to disability or death occurring prior to the effective date of this Act, but payments authorized by this Act shall not be made for any period prior to the date of enactment, or the date of receipt in the Veterans' Administration of application for the benefits thereof, whichever is the later date.

This Act shall not be so construed as to reduce any pension under any Act, public or private.

Approved, December 19, 1941.

[CHAPTER 602]

AN ACT

December 20, 1941
[H. R. 6215]
[Public Law 360]

To amend the Selective Training and Service Act of 1940 by providing for the extension of liability for military service and for the registration of the manpower of the Nation, and for other purposes.

Selective Training
and Service Act of
1940, amendments.

Registration; age
limits.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Selective Training and Service Act of 1940 (54 Stat. 885; U. S. C., title 50, App. sec. 302), as amended, be, and it hereby is, amended to read as follows:

"SEC. 2. Except as otherwise provided in this Act, it shall be the duty of every male citizen of the United States, and of every other male person residing in the United States, who, on the day or days fixed for the first or any subsequent registration, is between the ages of eighteen and sixty-five, to present himself for and submit to registration at such time or times and place or places, and in such manner and in such age group or groups, as shall be determined by rules and regulations prescribed hereunder."

SEC. 2. The first sentence of section 3 (a) of such Act, as amended, is hereby amended to read as follows:

"SEC. 3. (a) Except as otherwise provided in this Act, every male citizen of the United States, and every other male person residing in the United States, who is between the ages of twenty and forty-five at the time fixed for his registration, or who attains the age of twenty after having been required to register pursuant to section 2 of this Act, shall be liable for training and service in the land or naval forces of the United States: *Provided*, That any citizen or subject of a neutral country shall be relieved from liability for training and service under this Act if, prior to his induction into the land or naval forces, he has made application to be relieved from such liability in the manner prescribed by and in accordance with rules and regulations prescribed by the President, but any person who makes such application shall thereafter be debarred from becoming a citizen of the United States: *Provided further*, That no citizen or subject of any country who has been or who may hereafter be proclaimed by the President to be an alien enemy of the United States shall be inducted for training and service under this Act unless he is acceptable to the land or naval forces."

SEC. 3. Section 4 (a) of such Act, as amended, is hereby amended by inserting before the period at the end thereof the following: "": *Provided further*, That in the classification of registrants within the jurisdiction of any local board, the registrants of any particular registration may be classified, in the manner prescribed by and in accordance with rules and regulations prescribed by the President, before, together with, or after the registrants of any prior registration or registrations; and in the selection for induction of persons within the jurisdiction of any local board and within any particular classification, persons who were registered at any particular registration may be selected, in the manner prescribed by and in accordance with rules and regulations prescribed by the President, before, together with, or after persons who were registered at any prior registration or registrations."

SEC. 4. Section 5 (a) of such Act, as amended, is hereby amended by inserting after the words "foreign countries" a comma and the following: "and persons in other categories to be specified by the President".

Paragraph (1) of section 5 (c) of such Act, as amended, is amended by inserting after the word "Governors" a comma, and the following: "and all other State officials chosen by the voters of the entire State,".

SEC. 5. The second sentence of paragraph (1) of section 5 (e) of such Act, as amended, is hereby amended by inserting after "(1)" and after "(2)" the words "of any or all".

SEC. 6. Paragraph (2) of section 5 (e) of such Act, as amended, is hereby amended to read as follows:

"(2) Anything in this Act to the contrary notwithstanding, the President is authorized, under such rules and regulations as he may prescribe, to provide for the deferment, by age group, or groups, from training and service under this Act in the land and naval forces of the United States, of those men whose age or ages are such that he finds their deferment to be advisable in the national interest: *Provided*, That the President may, upon finding that it is in the national interest, terminate the deferment by age group or groups of any or all of the men so deferred."

SEC. 7. Section 15 (a) of such Act, as amended, is hereby amended to read as follows:

"(a) The term 'between the ages of twenty and forty-five' shall refer to men who have attained the twentieth anniversary of the day of their birth and who have not attained the forty-fifth anniversary of the day of their birth; and other terms designating different age groups shall be construed in a similar manner."

54 Stat. 885.
50 U. S. C., app.
§ 303 (a).

Liability for training
and service.

Provisos.
Neutral aliens.

Enemy aliens.

54 Stat. 887.
50 U. S. C., app.
§ 304 (a).
Classification of
registrants.

Selection for
induction.

Exemptions, etc.
54 Stat. 887.
50 U. S. C., app.
§ 305 (a).

54 Stat. 888.
50 U. S. C., app.
§ 305 (c) (1).

54 Stat. 888.
50 U. S. C., app.
§ 305 (e).
Ante, p. 621.

Ante, p. 621.

Deferment by age
group or groups.

Proviso.

54 Stat. 896.
50 U. S. C., app.
§ 315 (a).

"Between the ages
of twenty and forty-
five."

Status of persons inducted.

Extension of periods of service, etc.

Proviso.
54 Stat. 886.
50 U. S. C., app.
§ 303 (b).

54 Stat. 885.
50 U. S. C., app.
§ 303 (a).
Age limit, volunteers.

54 Stat. 1009.
38 U. S. C. § 802 (d).

Insurance to persons in active service.

Time limitation.

Proviso.

Persons dying in line of duty.

38 Stat. 711.
43 Stat. 607.
38 U. S. C., ch. 10.

54 Stat. 1010.
38 U. S. C. § 802 (h).
Beneficiaries.

Total disability in line of duty.

38 Stat. 711.
43 Stat. 607.
38 U. S. C., ch. 10.

Transfer of funds.

SEC. 8. Persons inducted under the Selective Training and Service Act of 1940 who are inducted into or assigned to the Navy, Marine Corps, or Coast Guard, shall be members of the Navy, Marine Corps, or Coast Guard, as the case may be; and in time of war their periods of service or training and service may be extended by the President for such additional time as he may deem necessary in the interest of national defense: *Provided*, That the periods of service or training and service under section 3 (b) of such Act of men who are detained under this section shall be terminated not later than six months after the termination of the war which authorized their detention, unless such men voluntarily extend their periods of service or training and service.

SEC. 9. The first proviso of the second sentence of section 3 (a) of such Act, as amended, is hereby amended by inserting the word "forty-five" in lieu of the word "thirty-six".

SEC. 10. Section 602 (d) of the National Service Life Insurance Act of 1940 is hereby amended to read as follows:

"(d) (1) Any person in the active service, and while in such active service, shall be granted such insurance without medical examination upon application therefor in writing (made within one hundred and twenty days after the date of enactment of this amendatory Act), and upon payment of premiums: *Provided*, That after the expiration of such one-hundred-and-twenty-day period any such person may be granted National Service Life Insurance at any time upon application, payment of premiums, and evidence satisfactory to the Administrator showing him to be in good health.

"(2) Any person in the active service on or after October 8, 1940, who, while in such service and before the expiration of one hundred and twenty days after the date of enactment of this amendatory Act, dies or has died in line of duty (including death resulting from disease or injury incurred in line of duty), without having in force at the time of such death insurance under the War Risk Insurance Act, as amended, the World War Veterans' Act, 1924, as amended, or this Act, in the aggregate amount of at least \$5,000, shall be deemed to have applied for and to have been granted insurance as of the date of entry into active service or October 8, 1940, whichever is later, in the sum of \$5,000 payable as provided in section 602 (h), except that payments hereunder shall be made only to the following beneficiaries and in the order named—

"(A) to the widow or widower of the insured, if living and while unremarried;

"(B) if no widow or widower entitled thereto, to the child or children of the insured, if living, in equal shares;

"(C) if no widow or widower entitled thereto, or child, to the dependent mother or father of the insured, if living, in equal shares.

"(3) Any person in the active service on or after October 8, 1940, who, while in such service and before the expiration of one hundred and twenty days after the date of enactment of this amendatory Act, suffers in line of duty total disability continuously for six months or more without having in force at the time of such disability insurance under the War Risk Insurance Act, as amended, the World War Veterans' Act, 1924, as amended, or this Act, in the aggregate amount of at least \$5,000, shall be deemed to have applied for and to have been granted insurance in the aggregate sum of \$5,000 effective as of the date such disability was so suffered but not prior to October 8, 1940. Such premiums shall be waived during the continuation of such total disability. The Administrator is authorized and directed to transfer from the National Service Life Insurance appropriation

to the National Service Life Insurance Fund such sums as may be necessary to cover all losses incurred and premiums waived under paragraphs (2) and (3) of this subsection.

“(4) The benefits and privileges extended by this section are hereby so extended by the Congress because many of the personnel of our armed forces (1) were unable to comply with the prerequisites necessary to the granting of insurance by reason of extended duty in the North Atlantic, Hawaii, the Philippines, and other outlying bases; (2) had failed or neglected to apply for such insurance in the expectation that their service would be peacetime service only; and (3) by reason of the suddenness with which war was thrust upon us, had not sufficient time to apply for such insurance prior to engaging in combat. The Congress hereby declares that no further relief of such character will be granted.”

Approved, December 20, 1941.

[CHAPTER 603]

AN ACT

To facilitate standardization and uniformity of procedure relating to determination of service connection of injuries or diseases alleged to have been incurred in or aggravated by active service in a war, campaign, or expedition.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of Veterans' Affairs is hereby authorized and directed to include in the regulations pertaining to service connection of disabilities additional provisions in effect requiring that in each case where a veteran is seeking service connection for any disability due consideration shall be given to the places, types, and circumstances of his service as shown by his service record, the official history of each organization in which he served, his medical records, and all pertinent medical and lay evidence.

In the case of any veteran who engaged in combat with the enemy in active service with a military or naval organization of the United States during some war, campaign, or expedition, the Administrator of Veterans' Affairs is authorized and directed to accept as sufficient proof of service connection of any disease or injury alleged to have been incurred in or aggravated by service in such war, campaign, or expedition, satisfactory lay or other evidence of service incurrence or aggravation of such injury or disease, if consistent with the circumstances, conditions, or hardships of such service, notwithstanding the fact that there is no official record of such incurrence or aggravation in such service, and, to that end, shall resolve every reasonable doubt in favor of such veteran: *Provided*, That service connection of such injury or disease may be rebutted by clear and convincing evidence to the contrary. The reasons for granting or denying service connection in each such case shall be recorded in full.

Approved, December 20, 1941.

[CHAPTER 604]

AN ACT

Authorizing advancements from the Federal Works Administrator for the provision of certain defense public works and equipment in the District of Columbia, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioners of the District of Columbia (herein called the “Commissioners”) are hereby authorized to accept advancements for the District of Columbia from the Federal Works Administrator (herein called the “Administrator”), and the Administrator, under and sub-

54 Stat. 1012.
38 U. S. C. § 805.

Reasons for extending benefits.

December 20, 1941
[H. R. 4905]
[Public Law 361]

Veterans.
Determination of service connection of disabilities.

Proof of service connection.

Provided.
Rebuttal evidence.

December 20, 1941
[H. R. 5800]
[Public Law 362]

District of Columbia.
Advancements for defense public works.